

**UNITED STATES DEPARTMENT OF COMMERCE****United States Patent and Trademark Office**Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

09/238,375 01/27/99 GROOTERS

B 98-0674

SEAN PATRICK SUITER
SUITER & ASSOCIATES
11516 NICHOLAS STREET
SUITE 205
OMAHA NE 68154-4409

TM02/0629

EXAMINER

LUU, S

ART UNIT

PAPER NUMBER

2173

DATE MAILED:

06/29/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Paper No. 11

Application Number: 09/238,375
Filing Date: January 27, 1999
Appellant(s): GROOTERS, BRANDON A.

WILLIAM J. BREEN, III
For Appellant

EXAMINER'S ANSWER

MAILED
JUN 29 2001
Technology Center 2100

This is in response to appellant's brief on appeal filed 4/16/2001.

(1) *Real Party in Interest*

A statement identifying the real party in interest is contained in the brief.

Art Unit: 2173

(2) *Related Appeals and Interferences*

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

(3) *Status of Claims*

The statement of the status of the claims contained in the brief is correct.

(4) *Status of Amendments After Final*

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) *Summary of Invention*

The summary of invention contained in the brief is correct.

(6) *Issues*

The appellant's statement of the issues in the brief is correct.

(7) *Grouping of Claims*

Appellant's brief includes a statement that claims are grouped in accordance with the Examiner's rejection as follows: Group 1 (1-2, 5-11, 13-16 and 18-20); Group 2 (3-4); and Group 3 (12 and 17).

(8) *Claims Appealed*

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) *Prior Art of Record*

US 5,990,884 DOUMA ET AL. 11-1999

US 6,020,881 NAUGHTON ET AL. 02-2000

(10) *Grounds of Rejection*

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-11, 13-16 and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Douma et al. ("Douma", U.S. # 5,990,884).

As per claim 1, Douma teaches a system for generating a device user interface executable by an information handling system, comprising: a processor (fig. 3, microprocessor 32 *which is contained in the Intelligent A/V receiver 10*; col. 5, lines 52-54) for executing instructions on the information handling system and a memory (fig. 3, data storage 34; col. 5, lines 54-57) coupled to said processor for storing instructions for execution by said processor; a resource database including the user interface components (*aggregation of interface data associated with each multimedia component stored on each multimedia component*; col. 6, line 51 – col. 7, line 13); a user interface generator for retrieving the user interface components for that device from said resource database without requiring user intervention and a layout manager for assembling the user interface components retrieved by said user interface generator into a

Art Unit: 2173

user interface executable by the information handling system to control the device (col. 7, lines 13-30, particularly lines 16-24).

Douma's system is implemented with the resource database being separate databases which are stored individually in each device instead of being stored separately from the device such as through the use of a single centralized database containing all resource information. It would have been obvious to an artisan at the time of the invention to use any one of the two options depending on the implementation method---that is, it is a design choice for system implementation. The end results would have been the same which is to provide the necessary device/component information to the processor for generating the proper interface specific to the requested device. Thus, for the centralized device database implementation, since the resource database includes interface components which is an aggregation of interface data associated with each multimedia component stored on each multimedia component, it is clear that the device database, containing available user interface components, is inherently included in the resource database.

Furthermore, Douma also discloses such an alternative implementation method of storing resource information, such as interface specifications, for each component at a central database separately from each component (col. 1, lines 22-26).

Moreover, Douma does not explicitly discuss the function of the user interface generator to determine whether the device is included in the device database. However, it would have been obvious to an artisan at the time of the invention that such a determining function is inclusive and must be performed whenever a new component/device is added to the system. This is necessary to handle situation where the new component is a non-compliant component.

Art Unit: 2173

As per claim 2, Douma discloses the device to be a multimedia device controlled by the information handling system (fig. 5, elements 16 and 18).

As per claims 3 and 4, by having the resource database (*aggregation of interface data associated with each multimedia component stored on each multimedia component*; col. 6, line 51 – col. 7, line 13) , which inherently includes the device list/database, in the Douma's system pre-created as aggregation of interface data or in a central database implementation, it would have been obvious to an artisan at the time of the invention that when the user interface is being generated by the system, these databases were already available for accessing without requiring user intervention. The operation is well demonstrated in the automatic “two-way” communication method between multimedia devices and the controlling system (col. 6, line 45 – col. 7, line 30).

As per claim 5, Douma teaches the user interface components of said resource database comprise discrete objects (fig. 5, elements 136, 138, 140, 142).

Claims 6-10 are similar in scope to claims 1-5, and therefore are rejected under similar rationale.

Claims 11 and 13-14 combined are similar in scope to claim 1, and therefore are rejected under similar rationale.

Claims 15 is similar in scope to claim 5, and therefore is rejected under similar rationale.

Claims 16 and 18-20 are similar in scope to claims 11 and 13-15 respectively, and are therefore rejected under similar rationale.

Claims 12 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Douma et al. (“Douma”, U.S. # 5,990,884) in view of Naughton et al. (“Naughton”, US # 6,020,881).

Art Unit: 2173

As per claim 12, Douma teaches all claim limitations as applied to claim 11, but fails to teach the step of selecting a generic device user interface component in the event the device is not known or non-compliant to the system, and thus similar to a situation where the device is not listed in the database. Naughton teaches a method for controlling devices using an intuitive GUI, wherein a generic user interface program object is used when a communicating device is not known to the receiver (*handheld display device*; col. 30, lines 10-32). Therefore, it would have been obvious for an artisan at the time of the invention to combine Naughton's teaching with Douma's system in order to provide users with a closest alternative device user interface component when the specific device is not available in the database.

Claim 17 is similar in scope to claim 12, and therefore is rejected under similar rationale.

(11) Response to Argument

Group I: Rejection of Claims 1-2, 5-11, 13-16 and 18-20.

Applicant argues that: (a) Douma discloses utilizing an appropriate device to play a song as selected from a listing of songs, and not "a listing of available user interface components" for implementing control functions of a device coupled to an information handling system; (b) Douma teaches a complete user interface being obtained from the device itself, whereas the user interface components of the claimed invention include modular interfaces, which may be structured in the form of an object, to provide an interface function; (c) Douma does not teach a user interface generator that retrieves user interface components which are assembled by a layout manager into a user interface automatically without user intervention, wherein the user interface components are available in a database separate from the device; (d) Douma does not

Art Unit: 2173

teach/suggest the use of a centralized device database for storing user interface components; and (e) there is no motivation for a centralized database of user interface components in Douma, and even if such a modification could be performed, Douma's system would be teaching away from a centralized database.

Per (a), as clarified in the rejection, for the centralized device database implementation, since the resource database includes interface components which is an aggregation of interface data associated with each multimedia component stored on each multimedia component, it is clear that the device database, containing available user interface components, is inherently included in the resource database.

Per (b), as indicated in the rejection, the use of an individual database associated with each component or a centralized database containing all of the components is a design choice for system implementation. As long as the goal in providing the necessary device/component information to the processor for generating the proper interface specific to the requested device is achieved.

Per (c), Douma teaches the system to retrieve and transfer interface specifications associated with a particular component and graphics image of the component and its control switches to the A/V receiver (controlling device) after the user requests control of a component (col. 7, lines 13-30, particularly lines 16-24). Douma in effect teaches the means for performing the same operations as required by the claimed user interface generator and layout manager.

Per (d-e), as clarified in the claim rejection, the use of an individual database associated with each component or a centralized database containing all of the components is a design choice for system implementation. As long as the goal in providing the necessary

Art Unit: 2173

device/component information to the processor for generating the proper interface specific to the requested device is achieved.

Accordingly, the claimed invention as represented in the claims does not represent a patentable distinction over the art of record.

Group 2: Rejection of Claims 3 and 4.

Applicant argues that the Examiner failed to point out where in the reference the teaching on “the user intervention being only for the determination of a device to be selected, but not for the process of accessing the device interface specifications, nor for the creation of the device-resource databases” is indicated.

As clarified in the claim rejection above, by having the resource database, which inherently includes the device list/database, in the Douma’s system pre-created, these databases would already have been available for accessing without requiring user intervention.

Accordingly, the claimed invention as represented in the claims does not represent a patentable distinction over the art of record.

Group 3: Rejection of Claims 12 and 17.

Applicant argues that since Douma teaches an interface stored on a device, which would be available from the device when accessed. Therefore, the instance in which the interface being not accessible, and the necessity of creating a generic interface, as taught by Naughton, would not be encountered. Thus there is no motivation for combining Naughton with Douma.

Art Unit: 2173

As pointed out in the rejection above in the event a device is not known or non-compliant to the system, and thus similar to a situation where the device is not listed in the database, a way to handle such a situation would be necessary. Therefore, it would have been reasonable and obvious to an artisan at the time of the invention to combine Naughton's teaching of using a generic device user interface component with Douma's system in order to provide users with a closest alternative device user interface component when the specific device is not available in the database.

Accordingly, the claimed invention as represented in the claims does not represent a patentable distinction over the art of record.


For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Sy D. Luu
June 28, 2001

SEAN PATRICK SUITER
SUITER & ASSOCIATES PC
11516 Nicholas Street, Suite 205
Omaha, NE 68154-4409
(402) 496-0300


CRESCELLE N. DELA TORRE
PRIMARY EXAMINER


RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173